

# Notice of Allowability

Application No.

10/622,197

Examiner

Prabodh M. Dharia

Applicant(s)

JENSON ET AL.

Art Unit

2629

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 07-12-2006.
2. ☒ The allowed claim(s) is/are 1-17 and 19-21 and renumbered as 1-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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1. **Status:** Please all the replies and correspondence should be addressed to Examiner's new art unit 2629. Receipt is acknowledged of papers submitted on 07-12-2006 under request for reconsideration, which have been placed of record in the file. Claims 1-17 and 19-21 are pending in this action. Claim 18 is cancelled.

***Response to Amendment***

2. Applicant's arguments, see Remark, filed 07-12-06, with respect to Claims 1,13,15 and 21 regarding "a combiner positioned between the windshield of a vehicle and the occupant of a vehicle that rotates a polarization display light and a display light source that transmits an image in an at least partially p-polarized light; and a combiner, coated with a metallic coating, positioned between the occupant and the windshield that transmits light from a field of vision external to the vehicle to the occupant, the combiner reflecting a first portion of the light to super impose the image as virtual image within the transmitted field of vision " have been fully considered, searched and are persuasive as they do overcome prior art rejection; which puts application number 10622197 in condition for allowance. The non-final rejection mailed on 02-09-2006 is withdrawn.

3. Claims 1-17 and 19-21 are allowed.

4. The following is an examiner's statement of reasons for allowance:

Applicant's arguments filed on 07-12-2006 are convincing. As argued by applicant in remarks under claim rejection page 7, paragraph 1, Lines 6,7 and page 8, paragraphs 3, Lines 4,5

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page 9, paragraph 1, the prior art of McDonald, (U.S. Patent No. 5,212,471) in view of Donath et al., (U.S. Patent Application Publication No. 2004/0066376 A1); Weber et al, (U.S. Patent Application Publication No. 2004/0135742 A1) and Sebastiano et al., (U.S. Patent No. 5,143,796) fails to recite or disclose the uniquely distinct features represented by underlined bold claim below;

**a combiner positioned between the occupant and the windshield that transmits light from a field of vision external to the vehicle to the occupant, the combiner reflecting a first portion of the display light to superimpose the image as a virtual image within the transmitted field of vision, rotating the polarization of a second portion of the display light, and transmitting the second portion of the display light through the windshield, the second portion of the light having low efficiency for reflection towards the viewer from windshield-related optical boundaries encountered by the second portion of the display light following rotation of the plane of polarization of the display light and transmission by the combiner and a display light source that transmits an image in an at least partially p-polarized light; and a combiner, coated with a metallic coating, positioned between the occupant and the windshield that transmits light from a field of vision external to the vehicle to the occupant, the combiner reflecting a first portion of the light to super impose the image as virtual image within the transmitted field of vision.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prabodh M Dharia whose telephone number is 571-272-7668.

The examiner can normally be reached on M-F 8AM to 5PM.

6. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:


Commissioner of Patents and Trademarks

Washington, D.C. 20231

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August 15, 2006

  
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TECHNOLOGY CENTER 2600